

REMARKS

Applicant again requests that all future correspondence for this patent application be sent to current counsel of record, Joseph W. Berenato of Berenato, White, & Stavish, LLC, 6550 Rock Spring Drive, Suite 240, Bethesda, MD 20817. A copy of the Power of Attorney previously filed September 10, 2004 is attached hereto. Office communications continue to be sent to former counsel.

Claims 1-3, 5-8, 10-17, 22, 32-36 and 38 were rejected as being anticipated by Hagemeyer et al. Claims 1 and 18 were rejected as being anticipated by Wendt. Claims 1 and 19 were rejected as being anticipated by Selzer. Claims 23, 25-29 and 31 were rejected as being anticipated by Procton. Claims 4, 20 and 21 were rejected as being obvious over Hagemeyer in view of Germano. Claims 9 and 37 were rejected as being obvious over Hagemeyer in view of Massey et al. Claims 24 and 30 were rejected as being obvious over Procton in view of Hagemeyer.

Applicant has amended independent claims 1, 23 and 32 in clarification. No new matter has been added. Referring to claim 23, the claimed door assembly now provides for an astragal assembly having an exterior portion, an interior portion spaced from and opposed to the exterior portion, a side portion that extends between the exterior portion and the interior portion, and a spacer extending outwardly from the side portion and having a distal end abutting the outer edge of the passive door to allow air flow therebetween. None of the art of record discloses an astragal having the claimed features herein.

Hagemeyer fails to provide a spacer extending outwardly from the side portion. Even if Hagemeyer did have some element extending outwardly from the side portion, which it does not, the element does not have a distal end abutting the outer edge of the passive door (given the 'side portion' of Hagemeyer is spaced from the outer edge of the door as depicted in Figure 6).

Hagemeyer also fails to disclose a channel defined by the interior, exterior and side portions which has an opening that faces away from the outer edge of the passive door. Applicant has amended claim 23 to provide that the opening faces away from the outer edge of the passive door.

Wendt likewise fails to provide for a spacer as claimed by Applicant. Wendt includes an "inturned leg portion 31", which is "provided to project inwardly into a ... doorstop portion 36 of vinyl jamb member 34". See '480 patent, column 5, lines 38-40. This component does not correspond to Applicant's claimed spacer which extends outwardly from the side portion and has a distal end which abuts the outer edge of the passive door when the astragal assembly is affixed thereto to allow air flow therebetween.

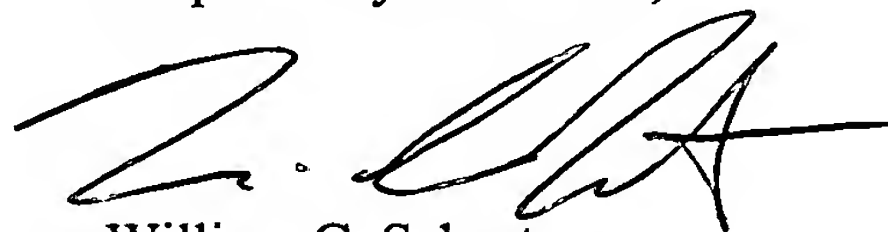
Similarly, Procton fails to provide for a spacer as claimed by Applicant. Indeed, the portion of the structure defined as a 'side portion' by the Examiner does not include any spacer which would abut the outer edge of the passive door to allow for air flow. As noted in the specification of the present application, the spacer forms a small gap between the outer edge of the passive door, and allows air flow and prevents moisture from accumulating between the outer edge of the passive door and the astragal assembly. See Specification, pages 36-37, ¶37. The prior art of record fails to provide for such a feature.

Applicant has similarly amended claim 1 to provide for a spacer extending outwardly from the side portion and having a distal end which abuts the outer edge of the passive door when the astragal assembly is affixed thereto. The preamble has been amended to provide for antecedent basis for the outer edge on the passive door. Claim 32 has also been amended to provide for the claimed spacer feature. The orientation of the spacer is further defined in relation to the channel. Specifically, claim 32 provides that the spacer extends away from the channel.

Applicant submits that the none of the prior art of record discloses or suggests an astragal assembly as claimed by Applicant. Accordingly, withdrawal of the rejections and allowance of all pending claims is respectfully requested.

Applicant submits herewith a Request for Continued Examination, along with the requisite fee. A Request for an Extension of Time for three (3) months is also enclosed, along with the requisite fee. It is believed that no other fees are due with this submission. Should that determination be incorrect, then please debit Account No. 50-0548 and notify the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. C. Schrot', with a stylized flourish at the end.

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